

United States Department of Agriculture.

SERVICE AND REGULATORY ANNOUNCEMENTS.

BUREAU OF CHEMISTRY.

SUPPLEMENT.

N. J. 11651-11700.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., December 12, 1923.]

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

11651. Adulteration of canned minced clams. U. S. v. 192 Cases of Minced Clams. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16609. I. S. No. 14062-t. S. No. W-1152.)

On July 11, 1922, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 192 cases of minced clams, remaining in the original unbroken packages at Portland, Oreg., alleging that the article had been shipped by the Strand Fisheries, from Aberdeen, Wash., May 25, 1922, and transported from the State of Washington into the State of Oregon, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Can) "Royal Club Brand * * * Minced Clams."

Adulteration of the article was alleged in the libel for the reason that excessive water or clam juice had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength and had been substituted wholly or in part for normal minced clams of good commercial quality.

On September 28, 1922, the Kelley-Clarke Co., Portland, Oreg., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a good and sufficient bond, in conformity with section 10 of the act.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

11652. Misbranding of potatoes. U. S. v. Alvin H. Peinhardt (Cullman Truckers' Assoc.). Plea of guilty. Fine, \$25. (F. & D. No. 16964. I. S. No. 18131-t.)

On February 21, 1923, the United States attorney for the Northern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Alvin H. Peinhardt, trading as Cullman Truckers' Assoc., Cullman, Ala., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about April 28, 1922, from the State of Alabama into the State of Pennsylvania, of a quantity of sweet potatoes which were misbranded.

Misbranding of the article was alleged in the information for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On March 21, 1923, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

HOWARD M. GORE, *Acting Secretary of Agriculture.*